

Testimony for California Citizens Redistricting Commission

May 24, 2011

Laney College

Oakland, California

Presented by William Boyer, Boyer and Associates
Representing the Black Farmers and Agriculturalist Association

**TESTIMONY AND SUBMITTAL OF STATEWIDE MULTIPLE DISTRICT
PLANS FOR CALIFORNIA STATE SENATE AND ASSEMBLY
PRESENTED TO THE
CALIFORNIA REDISTRICTING COMMISSION
Tuesday, May 24, 2011**

My name is William Boyer and I am here this morning to present the Statewide Multiple Redistricting Plan for the State Senate and Assembly to the California Redistricting Commission.

In 2001, I collaborated with the African American Redistricting Project for the City of Sacramento. We coalesced with two other community groups and submitted a map that was used by the City for the final approved plan. In 2002, I worked with community members in Elk Grove, California for the city's first redistricting process. Our proposed map was recommended by the City's consultant and adopted by the Elk Grove City Council. In 2004, I worked with local Sacramento teachers to assist them in the analysis of alternative proposals for seven area trustee districts for the Sacramento City Unified School District. All trustees had to live in the area they sought to represent. I have more than 50 years of experience as a community organizer. I have worked as labor union organizer and organized and recruited workers in Washington, D.C., New York City, Detroit Michigan, Florida and California. I currently own and operate two internet radio stations called www.realblackradio.com.

My associate is Helen Hewitt, former District Director for Sacramento City Council District 5. Ms. Hewitt has over 25 years of professional management experience and support in a fast paced environment demanding strong analytical, organizational, management, prioritization, and interpersonal skills. She has expert knowledge of the principles and practices of government operations, organizations, and public administration. In 2001 Ms. Hewitt worked with the coalition and council staff to finalize the community drawn map for council approval and has acquired a working knowledge of GIS systems.

I would like to give you a very short history of African Americans in California. The Conquistadors with their Native American and Black slaves and freemen founded the Pueblo De Los Angeles in 1781. We have been in this state for 320 years.

In 1855 the Democratic State Journal printed and reported the proceedings of the first State Convention of the Colored People of California which was held in Sacramento

from November 20-22. The Colored Methodist Bethel A.M.E. Church was the host. The purpose of the convention was taking into consideration the propriety of petitioning the California State Legislature for a change in the law relating to testimony of Colored people in the courts of Justice in this state. And, adopt plans for the general improvement of the condition of Colored people throughout the State. The delegates included representatives from Sierra, Nevada, Yuba, Eldorado, Sacramento, San Joaquin, Tuolumne, San Francisco, Contra Costa, and Santa Clara counties.

Democratic State Journal (1855)

My reason for telling you these facts is to make it clear to you that Sacramento's Black citizens have been at the forefront of assuring the general improvement of the political condition throughout the State of California for centuries. In 1832 William A. Leidesdorff, a man whose mother was African and Father was a Danish Jew, who developed San Francisco, built its first school, was Treasurer of its government, and also the U.S. Consul to Mexico. He secured for himself a land grant from Mexico of 35,000 acres that we know today as the City of Folsom, Negro Bar State Recreation Area, and also the City of Rancho Cordova. Another important Californian was James Beckwourth, an African descended trader, mountain guide, U.S. Army Scout who discovered the Beckwourth Pass through the Sierra Nevada Mountains and with Kit Carson accepted the surrender of Mexican General Vallejo, and the territory of California to the United States.

California, over the last decade, has experienced a seismic shift in population growth and migration. The demographics are punctuated by recent immigrants truly from around the globe. This new reality of demographic makeup can, but must not threaten the legacy, contribution, achievements, and stability of the Negro political improvement. The shift is so great that every elected official is worried that every political boundary may be changed.

Just before her death in 1955, Dr. Mary McCloud Bethune, a Black educator and founder of the National Council of Negro Women, left us these words to guide our civic improvement. "I leave you love, injuries quickly forgotten quickly pass away. Personally and racially our enemies must be forgiven. Our aim must be to create a world of fellowship and justice where no man's color or religion is held against him. Love thy neighbor is a precept which could transform the world if it were universally practiced... Loving your neighbor means being interracial, interreligious, and international... Yesterday, our ancestors endured the degradation of slavery, yet they retained their dignity... Tomorrow, a new Negro unhindered by race taboos and shackles will benefit from this striving and struggling." ***Crisis Magazine, (October 1999)***

And today, Barack Obama is President of these United States.

The seats now held by African Americans in the State Senate and Congress all transect in State Assembly Districts 47, 48, 51, and 52. None of these seats exceeded 30% Black population when drawn in 2001. Yet they reflect the communities in core areas where Black people have lived for centuries. Assembly District 62, which has a 14% Black population, has an African-descended incumbent. Black people have persistently won seats in jurisdictions with less than 20% Black populations. As constituents and candidates, we must organize these potential districts while we build coalitions with recent immigrants and our friends and neighbors.

We hereby submit two Statewide Multiple Redistricting plans drawing your attention to Assembly Districts 9, 16, 47, 48, 51, 52, 62, and Senate Districts 6, 9, 25, and 26. These districts are as near zero deviation as practical. In drawing these districts we took into consideration the raw population numbers, congruity, and the intent of the law as outlined in the following court cases.

In *Baker v Carr* the Supreme Court created the one man, one vote rule. This required greater equality among district populations. In *Wesberry v Sanders* the Supreme Court extended the equal population of districts to congressional seats and required states to make a good faith effort to achieve mathematical equality for each district, hence the phrase “ideal” population. ***Baker v Carr*, 369 U.S. 186 (1962), *Wesberry v Sanders* 376 U.S. 1 (1964)**

In *Thornburg v Gingles* the Supreme Court created the Gingles Threshold Test.

1. Is the minority population geographically compact?
2. Does the minority population vote in a cohesive fashion?
3. Would the majority population be able to defeat the preferred candidate of the minority population if it were not protected?

The Gingles Test was created to eliminate multi member districts in southern states where Black populations could vote in their candidate of choice, but for the way the district was drawn. Today, in California the majority population is language protected minorities. The language protected minorities are now the majority population in California. For Black voters that means the exception has eaten up the rule.

***Thornburg v Gingles*, 478 U.S. 30 (1986)**

In *Cox v Larios* the Supreme Court hired their own demographer who redrew the Georgia state districts with +/- 1% deviation. ***Cox v Larios* 542 U.S. 947 (2004)**

We petition you, the California Redistricting Commission and your demographer, to accept and approve these submissions. Your favorable consideration and approval of these proposed plans will ensure that congruent political communities truly exist. We

humbly submit this recommendation in the hope that it will assist in ensuring freedom and justice for all and equal representation under the law.

Thank you.